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13 December 1949

MEMORANDUM FOR: CHIEF, COAPS

SUBJECT: Crisis Situations

1. We concur with your recommendation to approach Mr. Souers on the single point of whether this should be a DCI or an amendment to NSCID 1. We can think of nothing in law or practice which requires NSC action on this paper. By its very wording and the reference to paragraphs 4 and 5 of NSCID 1, it is merely an implementation under urgent circumstances of authorities already given. Therefore, as you point out, paragraph 3 of NSCID 1 appears to require a DCI under these circumstances. This is particularly true since there is no fundamental disagreement on the substance of the paper.

2. Although the substance of the proposed amendment is not too far in effect from the proposed DCI, there is a great difference in emphasis, particularly when considered in the light of General Irwin's letter and the discussions at the Standing Committee meeting. Although not apparent on the face of the proposed amendment to NSCID 1, it appears to us to be so worded that there is a clear indication of reluctance to close the door entirely on General Irwin's concept of collective responsibility. Thus the draft says crisis information shall be furnished "to the other members of the Intelligence Advisory Committee", whereas our draft says "to the Director of Central Intelligence" and also "to the other Intelligence Advisory Committee members." This minor change tends to place the Director as merely one among an intelligence board whose main duty, as indicated in the next sentence, is to convene the Committee. Similarly, the last sentence says the Director shall "disseminate" the national intelligence estimate in accordance with paragraphs 4 and 5 above. Paragraph 4 talks of production, so it would seem logical for this sentence to read that the Director shall promptly "produce and disseminate" the national intelligence estimate. Eliminating the word "produce" again allows the inference that the Committee is responsible for production and the Director merely determines to whom it should go.

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3. Therefore, we are strongly in favor of having this paper a DCI with the shift in emphasis indicated above to re-establish clearly the Director's responsibility for national intelligence estimates.

LAWRENCE R. HOUSTON
General Counsel

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